

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

JAIME FERNANDO	:	
GRACIA CHERE,	:	CIV. NO. 23-4723 (RMB)
	:	
Petitioner	:	
v.	:	MEMORANDUM OPINION
	:	
WARDEN CRUZ,	:	
	:	
Respondent	:	

IT APPEARING THAT:

1. On or about August 16, 2023, Petitioner Jaime Fernando Gracia Chere, a prisoner confined in the Federal Correctional Institution in Fort Dix, New Jersey, filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, seeking application of earned Time Credits under the First Step Act (“FSA Time Credits”). (Pet., Docket No. 1.) On April 30, 2024, after Petitioner paid the filing fee, the Court ordered Respondent to file an answer to the petition. (Order, Dkt. No. 3.)

2. On June 14, 2024, Respondent filed a letter brief, recommending dismissal of the petition as moot because the Bureau of Prisons (“BOP”) changed Petitioner’s FSA eligibility status to eligible. On June 6, 2024, BOP applied 320 days of FSA Time Credits towards Petitioner’s early transfer to supervised release. (Declaration of Alisha Gallagher, Exhibits 1-4, Dkt. No. 5-1.)

3. “If developments occur during the course of adjudication that eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able

to grant the requested relief, the case must be dismissed as moot.” *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698–99 (3d Cir. 1996).

4. The petition no longer presents a live case or controversy. Therefore, the Court will dismiss this matter as moot.

An accompanying Order follows.

DATE: **June 20, 2024**

s/Renée Marie Bumb
RENÉE MARIE BUMB
Chief United States District Judge